IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 29314 of 2006(M)

PETITIONER:

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1. M.M. SHAHUL HAMEED, SECRETARY,
   NILAMBUR TALUK BUS PASSENGERS ASSOCIATION
   NILAMBUR P.O., MALAPPURAM DISTRICT.

2. MAJEED M., MANGALATHODI HOUSE,
   RAMANKUTHU P.O., NILAMBUR R.S. P.O.

3. HANEEFA T., THENGANCHERRY HOUSE,
   VALLAPLUZHA, NILAMBUR.

4. KRISHNANKUTTY NAIR,
   KUNNATHU HOUSE, KALLEYAMPADAM, NILAMBUR.

BY ADV. SRI.DEEPU THANKAN

RESPONDENTS:

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1. NILAMBUR GRAMA PANCHAYATH,
   NILAMBUR, MALAPPURAM DISTRICT,
   REPRESENTED BY ITS SECRETARY.

2. PRESIDENT, NILAMBUR GRAMA
   PANCHAYATH, NILAMBUR, MALAPPURAM DISTRICT.

3. SUB INSPECTOR OF POLICE,
   NILAMBUR POLICE STATION.

4. REGIONAL TRANSPORT AUTHORITY,
   MALAPPURAM DISTRICT, REPRESENTED BY ITS
   SECRETARY.

BY G.P. SRI.K.J.MOHAMMED ANSAR

BY ADV. SRI.K.M.SATHYANATHA MENON
SMT.S.SMITHA (PARAKKAL)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 29314 of 2006

Dated this 18th day of January, 2007

JUDGMENT

Though several grounds have been raised in the writ petition, the grievance which was prominently voiced by Sri.Deepu Thankan, the learned counsel for the petitioners was that on account of Ext.P1 buses which used to stop at what is described in the writ petition as the mini bus stand, not presently stopping at that bus stand. As a result of this, public are put to considerable hardship, complain the petitioners.

2. Sri.Sathanatha Menon, the learned standing counsel for the first respondent submits that the buses in spite of Ext.P1 will continue to stop in front of the mini bus stand and that Ext.P1 is not going to cause any hardship to the public in that regard. He invited my attention to paragraph 4 of the counter affidavit, wherein it is stated as follows:

"It is submitted that, there is no bus stand in the name of Mini Bus Stand. In fact it is only a bus waiting shed in the heart of Nilambur Town. The main allegation in the writ petition is

that the said bus stop is shifting from that place to another place is absolutely false and incorrect. There is no change at all to the bus waiting shed as alleged and pleaded by the petitioners."

The learned counsel explained that what was intended as per the last sentence in the above quoted paragraph was to mean that the Mini Bus stand will continue to be a stand in front of which all the buses will continue to stop as they used to prior to the introduction of Ext.P1.

Recording the submissions of the learned Standing Counsel, this writ petition will stand disposed of. It is made clear that merits of the other grounds have not been considered.

PIUS C.KURIAKOSE
Judge

dpk